

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES - GENERAL

Case No.: 2:22-cv-06157-AB-RAO

Date: December 6, 2023

Title: *James Murray v. United States of America*

Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian

N/A

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Appearing

None Appearing

**Proceedings: [In Chambers] ORDER DISMISSING ACTION**

On July 13, 2023, the Court issued an Order Granting the United States' Unopposed Motion to Dismiss, both as unopposed and on its merits. *See* Order (Dkt. No. 21). On July 17, 2023, the Court received from Plaintiff James Murray ("Plaintiff") a Notice (Dkt. No. 22), mailed on July 13, stating that he had not received the Motion to Dismiss and learned of it only after he received, on July 10, the United States' notice that the Motion had not been opposed. Plaintiff also stated that he opposed the Motion. The Court reopened the case, ordered the United States to re-serve the Motion on Plaintiff and file proof thereof, gave Plaintiff until November 8, 2023, to file an opposition to the Motion, and gave the United States until November 17 to file a reply. The United States filed a proof of service indicating that it promptly re-served the Motion on Plaintiff. As of the date of this Order, Plaintiff has not filed an opposition to the Motion.

The Court therefore again **GRANTS** the Motion to Dismiss for the reasons stated in its prior Order (Dkt. No. 21). The Clerk's Office is ordered to close the case. **IT IS SO ORDERED.**